

Serial No. 10/658,079
Attorney Docket No. 434830-00002
Amendment After Final

REMARKS

Claims 1, 29 and 30 have been amended by this paper.

Claim 32 is free of art rejections.

Claims 1, 3-11, 17, 22-26 and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,641,795 to Abe in view of U.S. Patent No. 4,415,479 to Puskas et al.

Claims 1, 29 and 30 have been amended to specify that an electric current is supplied to the electrically conductive carbonaceous support such that the support passes the electric current to the catalyst dispersed therein or thereon, wherein the electric current resistively heats the catalyst such that a temperature of the catalyst substantially or disproportionately increases with respect to the support.

The high electrical conductivity of the support gives rise to heating of the catalyst at the site of the catalyst without substantially increasing the temperature of the support (i.e., localized heating). The result being an active catalyst at low reaction temperatures. The Abe and Puskas et al. references do not teach or suggest a catalytic technique wherein the temperature of the catalyst is substantially or disproportionately heated with respect to the support. Rather, the Abe reference merely teaches heating the catalyst together with the support (i.e., not preferentially at the site of the catalyst), thereby resulting in high reaction temperatures.

Accordingly, the Examiner's rejections of claims 1, 3-11, 17, 22-26 and 29-30 are respectfully traversed

Claims 4 and 12-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abe in view of Puskas et al. and further in view of U.S. Patent No. 6,383,972 to Parmentier et al. In light of the foregoing, the Examiner's rejections of claims 4 and 12-18 are respectfully traversed.

Claims 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abe in view of Puskas et al. and further in view of U.S. Patent No. 6,824,755 to Colbert et al. In light of the foregoing, the Examiner's rejections of claims 19-21 are respectfully traversed.

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Claims 1, 5, 23 and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,868,841 to Affleck et al. in view of Puskas et al. In light of the foregoing, the Examiner's rejections of claims 1, 5, 23 and 29-30 are respectfully traversed.

Claims 1, 3-26, 29, 30 and 32 stand rejected under 35 U.S.C. § 112, ¶ 1 as failing to comply with the written description requirement. The Examiner's rejections are respectfully traversed.

Compliance with § 112 requires "sufficient information in the specification to show that the inventor possessed the invention at the time of the original disclosure." *Pandrol USA, LP v. Airboss Railway Prods., Inc.*, ___ F.3d ___ (Fed. Cir. September 19, 2005). However, "the written description requirement does not require the applicant 'to describe exactly the subject matter claimed, [instead] the description must clearly allow persons of ordinary skill in the art to recognize that [he or she] invented what is claimed.'" *Union Oil Co. of Cal. v. Atl. Richfield Co.*, 208 F.3d 989, 997 (Fed. Cir. 2000)(citing *In re Gosteli*, 872 F.2d 1008, 1012 (Fed. Cir. 1989)).

Applicant submits that the present application teaches a catalytic technique wherein the temperature of the catalyst substantially increases with respect to the support. Applicant concedes that the exact language "a temperature of said catalyst substantially increases with respect to said support" does not explicitly appear in the specification. However, the claims need not recite exact language from the specification. *Id.* Rather, the specification must provide sufficient information such that one skilled in the art can recognize that the Applicant invented what is claimed. *Id.*

Pursuant to 37 C.F.R. § 1.132, submitted herewith is a declaration from Dr. Terry Baker, a recognized expert in the field of catalysis and carbonaceous material, attesting that one skilled in the art, upon reading the specification of the present application as originally filed, would recognize that the present application describes a catalytic technique wherein a temperature of the catalyst substantially increases with respect to the support.

Accordingly, it is submitted that the application is in condition for allowance and formal notice thereof is respectfully requested.

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Applicant hereby authorizes the Commissioner under 37 C.F.R. § 1.136(a)(3) to treat any paper that is filed in this application, which requires an extension of time, as incorporating a request for such an extension. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,



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